



## Emergency Regulation Agency Background Document

<b>Agency name</b>	State Board of Social Services
<b>Virginia Administrative Code (VAC) citation</b>	22 VAC 20-411
<b>Regulation title</b>	General Relief Program
<b>Action title</b>	Repeal General Relief Program Adult Components
<b>Date this document prepared</b>	August 17, 2011

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Preamble

*The APA (Code of Virginia § 2.2-4011) states that agencies may adopt emergency regulations in situations in which Virginia statutory law or the appropriation act or federal law or federal regulation requires that a regulation be effective in 280 days or less from its enactment, and the regulation is not exempt under the provisions of subdivision A. 4. of § 2.2-4006.*

- 1. Please explain why this is an emergency situation as described above.*
- 2) Summarize the key provisions of the new regulation or substantive changes to an existing regulation.*

Item 332 of the 2011 Appropriation Act eliminated funding for all General Relief (GR) components, with the exception of the unattached children component. Effective with local budget allocations for FY12, the adult components of the GR program were eliminated and only the GR unattached children component will continue. The adult components that have been eliminated include unemployed employable individuals, unemployable individuals, institutional care, ongoing medical, interim assistance, food credit authorization, shelter, emergency medical, transient, burial, and clothing assistance.

### Legal basis

*Other than the emergency authority described above, please identify the state and/or federal legal authority to promulgate this proposed regulation, including: 1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and 2) the promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary. Please include a citation to the emergency language.*

Pursuant to §63.2-217 and §63.2-802 of the Code of Virginia, the State Board of Social Services has authority to promulgate rules and regulations necessary for the operations of all assistance programs. Section 63.2-802, provides for the establishment of a General Relief Program. The legal authority is mandatory. Item 332 of the 2011 Appropriation Act includes the emergency language.

**Substance**

*Please detail any changes that are proposed. Please outline new substantive provisions, all substantive changes to existing sections, or both where appropriate. Set forth the specific reasons the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of Virginians.*

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
10 30-60 80-110 130-160	n/a	These sections include references to adult components and related terms, as well as to unattached children.	The adult components and related terms are removed to comply with the 2011 Appropriation Act.

**Alternatives**

*Please describe all viable alternatives to the proposed regulatory action that have been considered to meet the essential purpose of the action.*

There are no viable alternatives. All GR adult components eliminated by the General Assembly must be removed from the regulation.

**Family impact**

*Please assess the impact of the emergency regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The elimination of the adult components of the GR program will have no impact on the authority and rights of parents in the education, nurturing, and supervision of their children; nor will it have any impact on self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents. The regulation will not strengthen or erode marital commitment. As these components provided a very small level of assistance, it will have an impact upon a small number of disabled single adults that previously received GR assistance.